

United States Courts
Southern District of Texas
FILED

December 20, 2023

Nathan Ochsner, Clerk of Court

United States Court of Appeals
Fifth Circuit

FILED

September 22, 2023

Lyle W. Cayce
Clerk

United States Court of Appeals
for the Fifth Circuit

No. 21-20435

UNITED STATES OF AMERICA, *ex rel.*, KAREN MINIEX,

Plaintiff—Appellant,

versus

HOUSTON HOUSING AUTHORITY; CITY OF HOUSTON; J. ALLEN
MANAGEMENT COMPANY, INCORPORATED; ALLIED ORION
GROUP, L.L.C.; ORION REAL ESTATE SERVICES TEXAS, L.L.C.;
THE LYND COMPANY; TARANTINO PROPERTIES,
INCORPORATED,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:18-CV-1609

Before JOLLY, DENNIS, and HIGGINSON, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the dismissal of Miniex's claims against HHA is REVERSED and the case is REMANDED for

No. 21-20435

further proceedings not inconsistent with the court's opinion. We AFFIRM the dismissal of the claims against the City because of inadequate briefing. We AFFIRM the dismissal of Miniex's claims against the PMCs because the TAC fails under Fed. R. Civ. P. 9(b) and 12(b)(6). And finally, we AFFIRM the district court's decision to deny Miniex's motion for leave to amend the TAC.

IT IS FURTHER ORDERED that each party to bear own costs on appeal to be taxed by the Clerk of this Court.



Certified as a true copy and issued
as the mandate on Dec 20, 2023

Attest: *Jyle W. Cenca*
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

December 20, 2023

Mr. Nathan Ochsner
Southern District of Texas, Houston
United States District Court
515 Rusk Street
Room 5300
Houston, TX 77002

No. 21-20435 Minex v. Houston Housing Authority
USDC No. 4:18-CV-1609

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk

Rebecca L. Leto

By: Rebecca L. Leto, Deputy Clerk
504-310-7703

cc: Mr. Michael Adams-Hurta
Ms. Mary Lucille Anderson
Mr. Sartaj Singh Bal
Mr. Chris Carmona
Mr. Felix M. Digilov
Mr. Kevin H. Fulton Jr.
Mr. William S. Helfand
Mr. Andrew L. Johnson
Mr. Brendan H. Little
Ms. Collyn Ann Peddie
Mr. Matthew Francis Popp
Mr. Cory S. Reed
Mr. Dylan B. Russell
Mr. Richard M. Scherer Jr.